

**Affidavit to Accompany
Motion for Leave to Appeal in Forma Pauperis**

District Court No. 1:04-cr-1036-10336-NMG

Appeal No. 07-1575

UNITED STATES OF AMERICA

Appellee,

v.

JULIO CARRION SANTIAGO

Appellant,

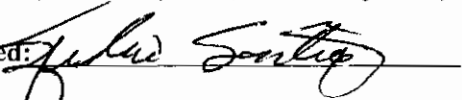
Affidavit in Support of Motion

Instructions

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Signed:



Date: 9-6-2007

My issues on appeal are: To be determined by Appellant and future legal counsel.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>5.25</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Gifts	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Alimony	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Child support	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Disability (such as social security, insurance payments)	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Unemployment payments	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Public-assistance (such as welfare)	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Other (specify): _____	\$ 1,000.00	\$ N/A	\$ 0.00	\$ N/A
Total Monthly income:	\$ 150.00	\$ N/A	\$ 5.25	\$ N/A

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Dates of Employment	Gross monthly pay
Self Employed	Lowell, MA	1988-2004	Approximately \$1500.00
_____	_____	_____	_____
_____	_____	_____	_____

3. List your spouses's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. How much cash do you and your spouse have? \$ 0.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
<u>None \$0.00</u>		\$ <u> </u>	\$ <u> </u>
<u> </u>	<u> </u>	\$ <u> </u>	\$ <u> </u>
<u> </u>	<u> </u>	\$ <u> </u>	\$ <u> </u>

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	(Value)	Other real estate	(Value)	Motor Vehicle #1	(Value)
<u>None</u>		<u>None</u>		Make & year: <u>None</u>	
<u> </u>		<u> </u>		Model: <u> </u>	
<u> </u>		<u> </u>		Registration#: <u> </u>	
Motor Vehicle #2	(Value)	Other assets	(Value)	Other assets	(Value)
Make & year: <u>None</u>		<u>None</u>		<u>None</u>	
Model: <u> </u>		<u> </u>		<u> </u>	
Registration#: <u> </u>		<u> </u>		<u> </u>	

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>None</u>	<u>None</u>	<u>None</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
<u>None</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Spouse
Rent or home mortgage payment (include lot rented for mobile home)	\$ 0.00	\$ N/A
Are any real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and Telephone)	\$ 0.00	\$ N/A
Home maintenance (repairs and upkeep)	\$ 0.00	\$ N/A
Food	\$ 0.00	\$ N/A
Clothing	\$ 0.00	\$ N/A
Laundry and dry-cleaning	\$ 0.00	\$ N/A
Medical and dental expenses	\$ 0.00	\$ N/A
Transportation (not including motor vehicle payments)	\$ 0.00	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0.00	\$ N/A
Insurance (not deducted from wages or included in Mortgage payments)	\$ 0.00	\$ N/A
Homeowner's or renter's	\$ 0.00	\$ N/A
Life	\$ 0.00	\$ N/A
Health	\$ 0.00	\$ N/A
Motor Vehicle	\$ 0.00	\$ N/A
Other: _____	\$ 0.00	\$ N/A
Taxes (not deducted from wages or included in Mortgage payments)(specify): _____	\$ 0.00	\$ N/A
Installment payments	\$ 0.00	\$ N/A
Motor Vehicle	\$ 0.00	\$ N/A
Credit card (name): _____	\$ 0.00	\$ N/A
Department store (name): _____	\$ 0.00	\$ N/A
Other: _____	\$ 0.00	\$ N/A

Alimony, maintenance, and support paid to others	\$ <u>0.00</u>	\$ <u>N/A</u>
Regular expenses for operations of business, profession, or farm (attach detailed statement)	\$ <u>0.00</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0.00</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>0.00</u>	\$ <u>N/A</u>

9. Do you expect any major changes to your monthly income or expenses in your assets or liabilities during the next 12 months?

☐ Yes ☒ No

If yes, describe on an attached sheet.

10. Have you paid — or will you be paying — an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? \$ _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid — or will you be paying — anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? \$ _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I paid John Ciciline to represent me at trial. This was all the money I had. I am now indigent and I cannot borrow to pay another attorney. I have been incarcerated for approximately three (3) years.

CERTIFICATION OF AUTHENTICITY

I, Anthony Harding, Case Manager - Bureau of Prisons - FCC (Low) in Petersburg, Virginia accessed by computer the last six (6) months financial activity of the account of Julio Carrion Santiago. Mr. Santiago's Registration Number is 71378-053.

The Account showed that Mr. Santiago had received \$906.00 in the past six months and that Mr. Santiago has spent \$610.35 year to date. Presently, Mr. Santiago, according to this report has a balance of \$235.65 left in his account.

This report was printed on August 28, 2007 at 11:19:29 AM. I respectfully submit this information believing, to the best of my knowledge, that the same is true and correct.

9/4/07
Date:

A. Harding
Anthony Harding

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9/4/07
Date:

A. Harding
Anthony Harding

Inmate Inquiry

Inmate Reg #: 11376053 Current Institution: Petersburg Complex FC1
Inmate Name: SANTIAGO, JULIO Housing Unit: PET-1-A
Report Date: 08/28/2007 Living Quarters: L08-1241
Report Time: 11:19:29 AM

[General Information](#) | [Account Balances](#) | [Commissary History](#) | [Commissary Restrictions](#) | [Comments](#)

General Information

Administrative Hold Indicator: No
No Power of Attorney: No
Never Waive NSF Fee: No
Max Allowed Deduction %: 100
PIN: 2185
PAC #: 531119387
FRP Participation Status: Unassigned
Arrived From: PEX
Transferred To:
Account Creation Date: 10/15/2004
Local Account Activation Date: 6/23/2007 10:37:36 AM

Sort Codes:
Last Account Update: 8/25/2007 2:13:27 PM
Account Status: Active
Phone Balance: \$8.94

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
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Account Balances

Account Balance: \$235.65
Pre-Release Balance: \$0.00
Debt Encumbrance: \$0.00
SPO Encumbrance: \$0.00
Other Encumbrances: \$0.00
Outstanding Negotiable Instruments: \$0.00
Administrative Hold Balance: \$0.00
Available Balance: \$235.65
National 6 Months Deposits: \$906.00
National 6 Months Withdrawals: \$670.35
National 6 Months Avg Daily Balance: \$139.18
Local Max. Balance - Prev. 30 Days: \$235.65
Average Balance - Prev. 30 Days: \$86.11

Commissary History

Purchases

Validation Period Purchases: \$0.00

YTD Purchases: \$610.35

Last Sales Date: 8/21/2007 5:58:09 PM

SPO Information

SPO's this Month: 0

SPO \$ this Quarter: \$0.00

Spending Limit Info

Spending Limit Override: No

Weekly Revalidation: No

Spending Limit: \$290.00

Expended Spending Limit: \$0.00

Remaining Spending Limit: \$290.00

Commissary Restrictions

Spending Limit Restrictions

Restricted Spending Limit: \$0.00

Restricted Expended Amount: \$0.00

Restricted Remaining Spending Limit: \$0.00

Restriction Start Date: N/A

Restriction End Date: N/A

Item Restrictions

List Name	List Type	Start Date	End Date	Userid	Active
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Comments

Comments: